IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL NO.47 OF 2003

Nitin Balasaheb Bhujbal .. Appellant.

Versus

Ms.Nitu Agnihotri alias
Mrs.Nitu Nitin Bhujbal .. Respondent.

Mr.Shriram S.Kulkarni for the appellant.
Mr.P.J.Thorat i/b Mr.Surel S.Shah for the respondent.

CORAM : S.B.MHASE &
D.B.BHOSALE, JJ.

DATE : MARCH 28, 2005.

P.C.

1. Heard.

2. The parties have tendered the record and proceedings of the impugned decree dated 2nd February, 2003 passed by the Family Court No.3, Pune. The marriage between the appellant and the respondent is dissolved by the decree of divorce under section 13. The decree was sought by the respondent-wife on the ground of nullity of marriage and in the alternate on the ground of cruelty. It is reflected from the evidence that the marriage was denied by the present appellant

and he further made out the case that respondent-wife use to come to him to satisfy her physical needs. On perusal of such evidence we are satisfied that the appellant was cruel to the respondent-wife and the trial Court had rightly granted decree dissolving the marriage. Under these circumstances we do not feel it proper to entertain the appeal. The appeal is rejected. We make it clear that while passing this order the record was made available before us by both the parties. After perusal of the pleadings and evidence we have disposed of the appeal.

3. All concerned to act on an ordinary copy of this order duly authenticated by the Registry of this Court.

(D.B.BHOSALE, J.) **(S.B.MHASE, J.)**

:hcs/mar